

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA

CARY JURGENS

PLAINTIFF

VS.

1:17-CV-00179-BRW

BNSF RAILWAY COMPANY

DEFENDANT

VERDICT FORM

We, the jury in this case, find the following answers to the following questions:

1. Was Defendant negligent with respect to the incident on August 7, 2017?

YES X NO \_\_\_\_\_

Note: If you answered Question 1 "yes," proceed to Question 2. If you answered "no," proceed to Question 6.

2. Was this negligence a cause, in whole or in part, of Plaintiff's injuries?

YES X NO \_\_\_\_\_

Note: If you answered Question 2 "yes," proceed to Question 3. If you answered "no," proceed to Question 6.

3. Was Plaintiff negligent with respect to the incident on August 7, 2017?

YES X NO \_\_\_\_\_

Note: If you answered Question 3 "yes," proceed to Question 4. If you answered "no," proceed to Question 6.

4. Was this negligence a cause, in whole or in part, of Plaintiff's injuries?

YES \_\_\_\_\_ NO X

Note: If you answered Question 4 "yes," proceed to Question 5. If you answered "no," proceed to Question 6.

5. Taking the negligence between both parties to be 100%, what percentage do you attribute to:

BNSF Railway	_____ %
Cary Jurgens	_____ %
Total	100 %

6. Did Defendant violate Chapter 49 of the Code of Federal Regulations, Section 213.37(c)?

YES X NO \_\_\_\_\_

Note: If you answered Question 6 "yes," proceed to Question 7. If you answered "no," proceed to Question 8.

7. Was this violation a cause, in whole or in part, of Plaintiff's injuries?

YES X NO \_\_\_\_\_

8. If you found for Plaintiff on either of his claims, what amount of money, if any, will reasonably compensate him for damages resulting from the August 7, 2017 incident for:

a. Past and Future Lost Wages	\$ <u>485,845</u>
b. Non-economic damages (pain and suffering)	\$ <u>75,000</u>

Angie Monson  
Presiding Juror

6/21/19  
Dated